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ROSENTHAL & OSHA L.L.P.

Fax

Date: December 3, 2001

File: 08228/017001

To: Ms. Joyce Brown
Licensing & Review

Fax No.: (703) 306-4196

CC:

From: Jonathan P. Osha

U.S. Application Serial No. 09/924,021

Re: Inventor: Tomoaki ITO et al.

Filing Date: August 7, 2001

Pages (including cover sheet): 7

☐ **URGENT!**

☐ Please Reply

☐ Please Review
& Comment

☐ For Your
Information

• **COMMENTS:**

Reply to Requirement for Statement Under §152 of the Atomic Energy Act

Response due date: December 8, 2001

CONFIDENTIALITY NOTICE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Tomoaki ITO et al. Art Unit : 1743
Serial No.: 09/924,021 Examiner :
Filed : August 7, 2001
Title : METHOD AND APPARATUS FOR EVALUATING PERFORMANCE OF
ANION EXCHANGE RESINS, AND CONDENSATE DEMINERALIZERS

Assistant Commissioner for Patents
Washington, DC 20231

**REPLY TO REQUIREMENT FOR STATEMENT
UNDER §152 OF THE ATOMIC ENERGY ACT**

Dear Sir:

In response to the Requirement for Statement Under §152 of the Atomic Energy Act dated November 8, 2001, Application hereby submits the following:

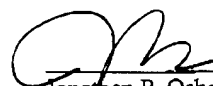
1) A copy of the Communication to Examiner filed October 18, 2001, which attached the DOE Statement signed by the Applicants. A copy of the certificate of mailing dated October 18, 2001, is also attached.

Please note that although a self-stamped returned postcard was filed with the above Communication on October 18, 2001, Applicant has not yet received the return postcard due to quarantine of the U.S Postal mail at the U.S. Patent and Trademark Office.

Applicant requests that the PTO consider the above as responsive to the Requirement. However, if there are any charges required for completing this response, Applicant requests they be charged to Deposit Account 50-0591 (Reference Number 08228/017001).

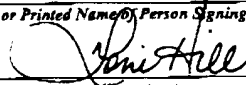
Respectfully submitted,

Date: December 3, 2001



Jonathan P. Osha, Reg. No. 33,986
Rosenthal & Osha L.L.P.
700 Louisiana, Suite 4550
Houston, TX 77002

Telephone: (713) 228-8600
Facsimile: (713) 228-8778

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. #8228/017001
Applicant(s): <u>Tomooki ITO et al.</u>			
Serial No. 09/924,021	Filing Date August 7, 2001	Examiner	Group Art Unit 1743
Invention: METHOD AND APPARATUS FOR EVALUATING PERFORMANCE OF ANION EXCHANGE RESINS. AND CONDENSATE DEMINERALIZERS			
<p>I hereby certify that this <u>Reply to Requirement for Statement Under Section 152 of the Atomic Energy Act</u> <small>(Identify type of correspondence)</small></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(703) 306-4196</u>)</p> <p>on <u>December 3, 2001</u> <small>(Date)</small></p> <div style="text-align: right; margin-top: 100px;"> <u>Toni A. Hill</u> <small>(Typed or Printed Name of Person Signing Certificate)</small>  <small>(Signature)</small> </div> <p style="text-align: center; margin-top: 100px;">Note: Each paper must have its own certificate of mailing.</p>			

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SERIAL NUMBER **ROSENTHAL & OSHA LLP** FIRST NAMED APPLICANT ATTORNEY/DOCKET NO.

09/924,021 08/07/01 ITC

EXAMINER

05228/017001

PM51/1106

JONATHAN P. OSHA
ROSENTHAL & OSHA LLP
700 LOUISIANA, SUITE 4330
HOUSTON TX 77002

ART UNIT

PAPER NO.

1743

DATE MAILED:

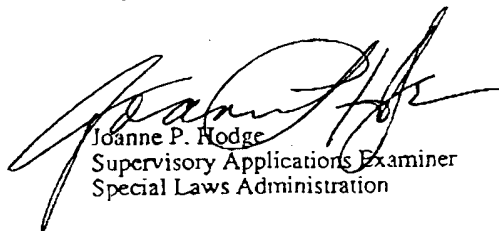
11/08/01

REQUIREMENT FOR STATEMENT UNDER §152 OF THE ATOMIC ENERGY ACT

The subject matter of this application is considered "useful in the production or utilization of special nuclear material or atomic energy."

No patent for any invention "useful in the production or utilization of special nuclear material or atomic energy" may issue unless the applicant files a statement **WITHIN THIRTY DAYS** from request thereof by the Commissioner of Patents & Trademarks setting forth the full facts surrounding the making or conception of the invention described in the application and whether the invention or discovery was made or conceived in the course of or under any contract, subcontract, or arrangement entered into with or for the benefit of the Energy Research and Development Administration or the Department of Energy as required under section 152 of the Atomic Energy Act of 1954, 42 USC §2182.

Applicant is hereby given a period of **THIRTY DAYS** from the mailing date of this letter to file the required statement under 42 USC §2182. Failure to submit the required statement within the thirty day period will result in **ABANDONMENT** of the application. The thirty day period is fixed by §2182 of the Act and cannot be extended. Thus, no extension of this period may be obtained under either 37 CFR §1.136(a) or (b).


Joanne P. Hodge
Supervisory Applications Examiner
Special Laws Administration

Docketing	
Action:	<u>Response (Unextendable)</u>
Base Date:	<u>11.08.01</u>
Due Date:	<u>12.08.01</u>
Deadline:	<u>12.08.01</u>
Initials:	<u>gk</u>
Atty/Sec. Initials:	

Please direct all written communications regarding this matter to:
The Commissioner of Patents & Trademarks
Washington, D.C. 20231

Attention: Licensing & Review

Please direct all telephone calls regarding this matter to:

Joyce Brown, 703-308-3350 (703) 306-4191

1947

The following is an example of an acceptable property rights statement. Statements of this type are, of course, only suitable for situations in which NO Agency funds or other considerations were involved in the making or conception of the invention. While this example is in the form of a declaration, a sworn document is equally acceptable.

I (We) ORGANO CORPORATION
citizens of Japan
residing at 2-8, Shinsuna 1-chome, Koto-ku, Tokyo 136-8631 Japan
declare:

That I (we) made and conceived the invention described and claimed in patent application:

Serial Number 09/924,021 filed in the United States of America on August 7, 2001
titled METHOD AND APPARATUS FOR EVALUATING PERFORMANCE OF ANION EXCHANGE RESINS, AND
CONDENSATE DEMINERALIZERS

(Check and complete either I or II below)

(Check III and/or IV below as appropriate)

☒ I. (For Inventors Employed by an Organization) That I (we) made and conceived this invention while employed by ORGANO CORPORATION. That the invention is related to the work I am (we are) employed to perform and was made within the scope of my (our) employment duties; That the invention was made during working hours and with the use of facilities, equipment, materials, funds, information and services of ORGANO CORPORATION. Other relevant facts are _____
(name of employer)

That to the best of my (our) knowledge and belief:

☒ III. The invention was not made or conceived in the course of, or in connection with, or under the terms of any contract, subcontract or arrangement entered into with or for the benefit of the United States Atomic Energy Commission or its successors: Energy Research and Development Administration or the Department of Energy.

—AND/OR—

Ok
That to the best of my (our) knowledge and belief (and/or) based upon information provided by _____ of _____:

☒ IV. The invention was not made (conceived or first actually reduced to practice) under nor is there any relationship of the invention to the performance of any work under any contract of the National Aeronautics and Space Administration.

—OR—

☐ II. (For Self-Employed Inventors) That I (we) made and conceived this invention on my (our) own time using only my (our) own facilities, equipment, materials, funds, information and services. Other relevant facts are _____

The undersigned inventor(s) declare further that all statements made herein of his or her (their) own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Inventor's Signature: Masashi Ito
Post Office Address: c/o ORGANO CORPORATION of 2-8, Shinsuna 1-chome, Koto-ku, Tokyo 136-8631
Japan
Date: October 10, 2001

Inventor's Signature: Masashi Fujita
Post Office Address: c/o ORGANO CORPORATION of 2-8, Shinsuna 1-chome, Koto-ku, Tokyo 136-8631
Japan
Date: October 10, 2001

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)Applicant(s): **Tomoaki ITO, et al.**

Docket No.

08228/017001

Serial No.
09/924,021Filing Date
August 7, 2001

Examiner

Group Art Unit

Invention:

**METHOD AND APPARATUS FOR EVALUATING PERFORMANCE OF ANION EXCHANGE RESINS,
AND CONDENSATE DEMINERALIZERS**I hereby certify that this Communication to Examiner

(Identify type of correspondence)

is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The
Assistant Commissioner for Patents, Washington, D.C. 20231 on October 18, 2001
(Date)Rhonda L. Parker

(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

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